

OCTOBER 8, 2013

PORT ST. JOE, FLORIDA

REGULAR MEETING

The Gulf County Board of County Commissioners met this date in regular session with the following members present: Chairman Tynalin Smiley, Vice Chairman Ward McDaniel, and Commissioners Carmen L. McLemore, Joanna Bryan, and Warren J. Yeager, Jr.

Others present were: County Attorney Jeremy Novak, Clerk Rebecca L. Norris, Deputy Clerk Kari Summers, Chief Administrator Don Butler, Assistant Administrator Michael L. Hammond, Deputy Administrator Lynn Lanier, Deputy Administrator Brett Lowry, Building Official Lee Collinsworth, Building Inspector George Knight, Central Services Director Denise Manuel, E.D.C. Director Barry Sellers, Gulf County E.M.S. Director Houston Whitfield, County Extension Agent Roy Lee Carter, Fire Coordinator Brad Price, Grant Writer Towan Kopinsky, County Jail Captain Evette Farmer, Maintenance Superintendent Steve Mork, Mosquito Control Director Mark Cothran, Planner David Richardson, Preble-Rish/County Engineer Clay Smallwood, III, Public Works Director Joe Danford, Assistant Public Works Director Jake Lewis, Sheriff Mike Harrison, and T.D.C. Executive Director Jennifer Jenkins.

Sheriff Harrison called the meeting to order at 9:00 a.m., E.T.

Deputy Administrator Lanier opened the meeting with prayer. Chairman Smiley led the Pledge of Allegiance to the Flag.

CONSENT AGENDA

Chairman Smiley called for public comment regarding the Consent Agenda. There being no public comment, Commissioner Yeager motioned to approve the Consent Agenda. Commissioner McLemore seconded the motion, and it passed unanimously, as follows:

1. Agreement – Medical Examiner Services (Dr. Michael D. Hunter, M.D. P.A.)
2. Inventory – Animal Control (Transfer from Animal Control 1999 White Dodge Truck VIN #187HC16X2X5103648 to Detention Facility)
 - Building Department (Junk #260-76 * Dell Computer * S/N 00045-673-385-6)

- Clerk of Court (Transfer * #10-334 to Public Works * Desk* Remove #10-278 * Okidata 395 Matrix Printer * #10-316 * Okidata 395 Microline Printer * #10-361 * Canon Copier * #10-366 * Okidata Dot Matrix Printer * #10-399 * Canon Color Printer * #10-417 * HP Laptop Computer)
- County Judge (Remove * #20-100 * HP Computer w/monitor & keyboard * #20-103 * HP LaserJet 4050N Printer * #20-109 * Telephone System)
- Courtroom Accessories (Junk * #60-18 * Shelf Units Law Library)
- Detention & Corrections (Add * 530 lb Air Cooled 115V Ice Maker * Model #ID0502A161 * S/N 1101214896 * 635 lb Air Cool Stainless Ice Maker * Model #ID0606A261 * S/N 1101227517)
- Gulf County Extension Agent (Remove * #50-41 * HEC Telephone System)
- Supervisor of Elections (Add * Poweredge T110 II Server (Dell) * S/N BSF77Y2 * Remove * Asset #00261 * IBM Wheelwriter 6 * S/N 6747-11-6143259 * #30-67 * Compaq Computer * S/N COMPA6X28KN87TDYN * #30-43 * Pionex 100 Pentium Workstation * S/N 6000120704 * Asset #01832 * Compaq 590 Personal Computer * S/N 202305429 * #30-56 * LaserJet 4050T Printer * S/N USCC177202 * Junk * #30-54 * Fujitsu Flatbed Scanner * S/N 7110419-SPC)

3. Invoices – The Ferguson Group, LLC – Federal Lobbyist (Invoice #0813579 * \$115.62 * to be paid from Account #21111-31200)

- UniFirst Corporation (Old Courthouse * Invoice #2710052511 * \$19.06 * Invoice #2710053011 * \$19.06 * Invoice #2710053502 * \$19.06 * Invoice #2710054017 * \$19.06 * Public Works * Invoice #2710054018 * \$10.00 * Invoice #2710054503 * \$18.25 * Invoice #2710054019 * \$51.46 * Invoice #271005-4504 * \$62.27 * Invoice #2710054020 * 58.84 * Invoice #2710054505 * \$70.14 * Maintenance * Invoice #271005-4021 * \$39.12 * Invoice #2710054506 * \$49.03 * Courthouse * Invoice #2710054022 * \$68.50 * Invoice #2710054507 * \$79.25)

4. Representative – PRM Health Trust Board of Directors (Denise Manuel & Brett Lowry, Alternate)

5. Proclamation – Dixie Phonics Day
6. Refund Request – Tax Collector (Parcel #06319-040R * \$1,160.55)

(End)

AWARD PRESENTATION – VANZANT

Commissioner Yeager stated the Board would like to recognize a member of the public for going beyond the call of duty. Fire Coordinator Price reported that Alex Vanzant was going home from a friend's house on August 22, 2013, and noticed smoke coming out of a house (Heath family); stating he saved three family members and the family pet by entering the home. The Board presented an Outstanding Citizens award to Alex Vanzant.

PREFERRED GOVERNMENTAL INSURANCE TRUST (P.G.I.T.) – BUDGET AMENDMENT

Deputy Administrator Lowry requested approval from the Board to pay an invoice from P.G.I.T., in the amount of \$10,000.00 (insurance deductible) regarding the James Garth lawsuit. Upon inquiry by Commissioner McDaniel, Clerk Norris discussed taking the funds from the Downtown Redevelopment line item. Commissioner McDaniel motioned to take the funds from the Downtown Redevelopment line item to pay this invoice and to do a budget amendment to the correct line item. Commissioner McLemore seconded the motion for discussion. After discussion, the motion then passed 4 to 1, with Commissioner Yeager abstaining due to serving on the P.G.I.T. Board. (Form 8B on file in the Clerk's Office).

COUNTY JAIL

Jail Warden Hammond discussed his concerns regarding comments made at the last Board meeting by Commissioner Bryan about the County Jail. Warden Hammond introduced Captain Evette Farmer, and requested she introduce staff from the Jail that was currently present at the Board meeting. Upon inquiry by Commissioner McLemore, Mary Allen reported that she has been employed by the Jail for 25 years. Commissioner McLemore commended all the staff employed by the Jail. Officer Carl Goodson appeared before the Board to state that he works with professionals and that he is proud of all the Jail staff. Commissioner Bryan stated that she does not have a problem with the Jail employees. She also reported that she has not been by (the jail) because Warden Hammond refused her entry to the Jail. Commissioner Bryan stated she is concerned not only for inmate safety but for the safety of the staff. She also discussed her concerns regarding a letter submitted by Warden Hammond regarding the numbers associated with the Jail, stating she is not in agreement with these figures. Commissioner Bryan reported she is not in favor of laying off people, and she is here to do a good job, and do it efficiently. She stated for the record that she does not have an issue with employees. Commissioner Yeager reported that over the past five (5) years this County has reduced the Ad Valorem Taxes from \$13.6 million to \$7.6 million. After discussion, Chairman Smiley stated that all Commissioners are allowed in the Jail. He reported that the Board voted down the inspection of the Jail. Commissioner Bryan

stated that we do operate within the law, reporting that there are Statutes in place that promulgate the Model Jail Standards. Commissioner Yeager stated that he depends on the County Attorney for legal advice. Warden Hammond reported that the Jail is running efficiently and within the Law since he became Warden. After further discussion, Captain Farmer appeared before the Board to report that she has been an employee with the County Jail for twenty three (23) years, stating she would like to address some rumors: (1) Unsafe conditions in the Jail. She stated that she has never felt the Jail was unsafe; further stating she would never work nor allow co-workers to work in an unsafe environment. (2) Mistreatment of inmates. She stated that most reported complaints are due to inmates that are not approved to pick their cell mates, unscheduled visits, and that most complaints come from people who do not want to follow the rules. Captain Farmer reported that there are set rules and regulations that caretakers of the Jail and inmates must follow. After further discussion by Captain Farmer, Warden Hammond stated that his work week is sixty (60) hours per week. He then read a statement to the Board regarding the County Jail. Commissioner Bryan requested that Warden Hammond provide her with a copy of the read statement and requested that he meet with her this afternoon to discuss the Jail. Chairman Smiley commended Warden Hammond and Jail staff.

TOURIST DEVELOPMENT COUNCIL (T.D.C.) – MONTHLY REPORT

T.D.C. Executive Director Jenkins presented and discussed the September, 2013 monthly report.

TOURIST DEVELOPMENT COUNCIL – STANDARD OPERATING PROCEDURES

T.D.C. Executive Director Jenkins requested approval from the Board of the T.D.C. Standard Operating Procedures, stating it has been approved by the T.D.C. Board. Commissioner Yeager motioned to approve this request. Commissioner McDaniel seconded the motion, and it passed unanimously.

TOURIST DEVELOPMENT COUNCIL – VENUE USAGE POLICY

T.D.C. Executive Director Jenkins requested approval from the Board of a Venue Usage Policy for the T.D.C. Building, stating it has been approved by the T.D.C. Board. Commissioner Yeager motioned to approve this request. Commissioner McDaniel seconded the motion for discussion. After discussion, the motion then passed unanimously.

TOURIST DEVELOPMENT COUNCIL – MEDIA BUY POLICY

T.D.C. Executive Director Jenkins requested approval from the Board of a Media Buy Policy, stating it has been approved by the T.D.C. Board. Commissioner Yeager motioned to approve this request. Commissioner Bryan seconded the motion, and it passed unanimously.

AWARD BID #1213-18 – PRINTING OF THE 2014 VISITOR GUIDE

Upon recommendation by T.D.C. Executive Director Jenkins, Commissioner Yeager motioned to award Bid #1213-18 (printing of the 2014 Visitor Guide) to Solo Printing, at

a cost not to exceed \$62,937.00. Commissioner McDaniel seconded the motion, and it passed unanimously.

AWARD BID #1213-19 – T.D.C. WEBSITE

Upon recommendation by T.D.C. Executive Director Jenkins, Commissioner McDaniel motioned to award Bid #1213-19 (for the T.D.C. website) to Outpost Design, at a cost not to exceed \$125,000.00 (design, development, implementation, maintenance & hosting). Commissioner Yeager seconded the motion, and it passed unanimously.

TOURIST DEVELOPMENT COUNCIL – ADVISORY COUNCIL SCHEDULE

T.D.C. Executive Director Jenkins requested approval from the Board of the T.D.C. Advisory Council Meeting Schedule, stating this has been approved by the T.D.C. Board. Commissioner Yeager motioned to approve this request. Commissioner Bryan seconded the motion, and it passed unanimously.

TOURIST DEVELOPMENT COUNCIL – SPONSORSHIP POLICY

T.D.C. Executive Director Jenkins discussed an amendment made to the Sponsorship Policy on July 14th and requested permission from the Board to approve advancement to the Semper Fi Sisters, in the amount of \$2,500.00 for postage to mail boxes to the service men and women overseas. Commissioner Yeager motioned to approve this request. Commissioner Bryan seconded the motion, and it passed unanimously.

PUBLIC WORKS – MOTOR GRADER REPAIRS

Public Works Director Danford appeared before the Board to report that one of the motor graders (old) caught fire due to an electrical problem, and requested permission to have it fixed, in the amount of approximately \$10,000.00 to \$13,000.00. He discussed the bid limit and suggested that the Board change the bid limit to \$20,000.00 for sealed bids and \$10,000.00 for quotes. After discussion, Commissioner Bryan motioned to allow Public Works Director Danford purchase the parts for the motor grader for this time only. Commissioner Yeager seconded the motion for discussion. After discussion, the motion then passed unanimously.

CAPITAL IMPROVEMENT PLAN

Planner Richardson presented the Capital Improvement Plan to the Board for review.

INTERLOCAL AGREEMENT – CITY OF PORT ST. JOE

County Attorney Novak discussed the final Interlocal Agreement between the County and City of Port St. Joe, stating that Preble-Rish Engineer Smallwood is working on the boundaries to draw up the Deed.

LEASE AGREEMENT – NORTH FLORIDA CHILD DEVELOPMENT

County Attorney Novak discussed meeting with North Florida Child Development regarding the leasing of the Old Gulf County Courthouse, stating they are proposing certain terms, and summarized the terms: (1) Utility bills have been changed over to North Florida Child Development, (2) Tentative agreement of \$1.00 per year to lease the building for a ten (10) year term with renewal annually, (3) Put an economic

development function into the lease, (4) Maintenance/repair/care of facility, (5) County will have access and control of second floor, (6) Use of back entrance, and (7) Improvements will be at the cost of North Florida Child Development. County Attorney Novak requested permission for the Chairman to execute the Lease Agreement after the floor plan and a few other things have been added to the Lease. Upon inquiry by Commissioner McLemore, County Attorney Novak stated that the County will continue to maintain the grounds at the Old Gulf County Courthouse. Upon inquiry by Chairman Smiley, County Attorney Novak stated that this building is still a County facility, that North Florida Child Development will only be leasing the first floor of the building, and that the County will have use of the second floor. Commissioner Bryan requested the Board table this issue until the next Board meeting for further review. Upon inquiry by Commissioner Yeager, County Attorney Novak stated that North Florida Child Development has asked for a ninety (90) day transition due to Federal and State audit reviews. Commissioner Bryan discussed speaking with Senator Montford regarding the matter of rehabilitating the Old Gulf County Courthouse Building. Gerald Thompson, of North Florida Child Development appeared before the Board to discuss the proposed lease agreement presented by County Attorney Novak. County Attorney Novak recommended the Board give conditional approval, contingent upon attorney review for further amendments. Commissioner McLemore motioned to approve this recommendation. Commissioner Bryan stated she would like to wait until the next Board meeting. Commissioner McDaniel seconded the motion for discussion. After discussion, Chairman Smiley called for public comment. There being no public comment, the motion then passed unanimously.

FIRST PUBLIC HEARING – PUBLIC PARTICIPATION ORDINANCE

County Attorney Novak reported that this is the First Public Hearing regarding the proposed ordinance concerning public participation at Board meetings, stating that this was signed into Law which is an amendment to F.S. Chapter 286. County Attorney Novak then read Section 1 of the proposed ordinance. Commissioner Bryan discussed her concerns regarding the proposed ordinance: (1) Section 1a (speaker form). She requested to add the language "when possible", to fill out the form, (2) Section 1b (time limits), and (3) Section 1e (language). She also requested better wording for the "insulting" part of this section, and (4) requested to consider adding private citizens, audience, and staff. County Attorney Novak discussed that this is the proposed ordinance and it will be on file in the Clerk's Office for review.

MEETING – GULF CONSORTIUM

County Attorney Novak discussed attending various consortium meetings, stating it is all focused on the Treasury regulations. He reported that the Local Restore Act Committee will meet October 11, 2013 at 11:00 a.m., E.T. in the E.O.C. Building.

HABITAT CONSERVATION PLAN

County Attorney Novak discussed the Habitat Conservation Plan (H.C.P.) Grant award, stating the contract has been signed; noting the County is now obligated to start the process, and requires an in-kind match. He also discussed the need to hold an organizational meeting and establish a committee for the H.C.P.; reporting that a

meeting is scheduled for October 17th at 8:30 a.m., E.T. in the E.O.C. Building. County Attorney Novak requested permission from the Board to extend an invitation for people to serve on this committee (Florida Fish & Wildlife Commission, U.S. Fish & Wildlife, Florida D.E.P., Florida Parks Service, Northwest Florida Water Management Board, Florida Nature Conservancy, Coastal Community Association, Realtors Association, Builders Association, Barbara Ells, County Administrator, Deputy Administrator, Sheriff's Office, County Attorney, County Planner, County Animal Control Officer, County G.I.S. Director, County Building Official, County Grant Program Director, County T.D.C. Executive Director, County Code Enforcement Officer, St. Joseph Humane Society). Commissioner Yeager reported this to be an approximate \$400,000.00 study; noting F.W.C. has required. He reported the County has received a grant and can meet the match requirements through in-kind services. County Attorney Novak discussed the drafted proposed R.F.P. to circulate at the meeting. Chairman Smiley called for public comment. There being no public comment, Commissioner McLemore motioned to approve this recommendation and to move forward. Commissioner Yeager seconded the motion, and it passed unanimously.

TRAINING – SUNSHINE AND ETHICS

County Attorney Novak thanked the Board and County staff for attending the Sunshine and Ethics training last week, stating this will be an annual training now required by Chapter 112.3412, Florida Statutes.

COMMUNITY RATING SYSTEM

Chief Administrator Butler reported that David Richardson has been the Fire Chief for the Beaches Fire Department for thirty (30) years, and that the Beaches Fire Department has received a four (4) rating. He commended Mr. Richardson for going from a six (6) to a four (4) rating. Chief Administrator Butler reported that this will affect the fire insurance ratings. Commissioner Yeager discussed his concerns regarding the new rating and working with I.S.O. to get other areas within the County reduced.

MEETING – ENTERPRISE ZONE

Chief Administrator Butler reported that there is an Enterprise Zone Meeting scheduled for October 9th at 10:00 a.m., E.T. in the Board Conference Room and is open to the public. Commissioner Yeager discussed the need to transition this function to the E.D.A. in the future.

ROAD REPAIR – COUNTY ROAD 30

Commissioner Yeager reported that the construction began on CR 30 from State Road 98 to Cape San Blas Road. He discussed the history of the palm trees and their removal. Commissioner Yeager stated that the contractor has agreed to relocate these historical palm trees to other parks within the County. Commissioner Yeager discussed working with the contractor on the milling, stating that D.O.T. wants the County to work with the contractors in obtaining a contract on the milled asphalt.

SUCSESSES – GULF COUNTY

Commissioner Yeager discussed the heated discussions at the Board meetings, stating that there are a lot of good things going on in this County (college, hospital, T.D.C., construction), and everyone needs to work on successes for this County.

NEW HOMES – COMMUNITY DEVELOPMENT BLOCK GRANT

Chairman Smiley thanked Staff for ten (10) families receiving new homes in Gulf County through the C.D.B.G. program and S.H.I.P.

BIDS – MARTIN LUTHER KING PROJECT (M.L.K.)

Upon inquiry by Chairman Smiley, Preble-Rish Engineer Smallwood reported that the bids for the Martin Luther King Project will be received this Thursday.

SUCSESSES – GULF COUNTY

Chairman Smiley stated that his motto is to move forward, not backwards, and discussed the good things going on in this County: (1) Food pantry at the W.I.G. Center, (2) Pay assistance for families, (3) Johanna White helping young people find a job, and (4) The mold a male program.

BALLFIELDS – HONEYVILLE COMMUNITY CENTER

Chairman Smiley reported that Commissioner McLemore is working on adding addition ball fields to the Honeyville Recreational Center so that Gulf County can host State Softball Tournaments.

ECONOMIC DEVELOPMENT

Chairman Smiley discussed his concerns regarding E.D.C. Director Sellers back at work.

NEW HOMES – COMMUNITY DEVELOPMENT BLOCK GRANT

Grant Writer Kopinsky reported that there will be seven (7) new homes, and six (6) rehabilitation homes throughout the County with the funds from C.D.B.G. & S.H.I.P. Chairman Smiley discussed creating jobs for the contractors/construction industry due to this project.

S.H.I.P.

Commissioner McDaniel thanked Deputy Administrator Lowry and Grant Writer Kopinsky regarding their hard work on the S.H.I.P.

Chairman Smiley called for public comment.

COUNTY EXTENSION AGENT RENOVATIONS/BUDGET AMENDMENT

County Extension Agent Carter appeared before the Board to discuss a deficit in his budget, in the amount of \$4,700.00. He reported that \$3,600.00 of it was due to the renovations of the new office space. County Extension Agent Carter reported that the Board previously approved \$10,800.00 for renovations, but there was still cost associated to complete the project. He requested the Board pay the \$3,600.00 deficit,

with him paying the remaining balance from his Youth Funds. Commissioner Bryan discussed \$4,000.00 that was budgeted for travel expenses for District III, and requested that \$3,600.00 be transferred from this line item to cover the renovation costs. Commissioner Bryan then motioned to transfer \$3,600.00 from District II Local Travel Budget to the County Extension Agent Budget. Commissioner Yeager seconded the motion. Chairman Smiley called for public comment. There being no public comment, the motion then passed unanimously. After discussion, County Extension Agent Carter commended Maintenance Staff for a great job.

FIRE PREVENTION WEEK

Fire Coordinator Price appeared before the Board to report that October 6-13, 2013 is Fire Prevention Week, and discussed the events planned at the elementary schools. He reported that the 11th and 12th Graders will be taking tours at the Fire Academy located in Panama City.

REMOVAL – PALM TREES

Bill Koran, of St. Joe Beach appeared before the Board to offer assistance in moving the palm trees from CR 30.

AMERICUS AVENUE DITCH

Bill Koran, of St. Joe Beach appeared before the Board to state that he was wrong in saying that Commissioner Yeager was serving on the Board when the Americus Avenue Ditch Project took place, but noted Mr. Yeager was an employee of Preble-Rish. He discussed problems at the Americus Avenue Ditch that needs to be addressed, stating there have been over 130 repairs done on this ditch. Mr. Koran discussed the bid specifications regarding the contractor being F.D.O.T. qualified. Commissioner Bryan motioned to allow additional time for Mr. Koran to speak. Commissioner Yeager seconded the motion, and it passed unanimously. Mr. Koran discussed the cost, the burned pipes, no inspection report, and no final report filed. He requested that the County fix Americus Avenue Ditch. Commissioner Bryan discussed working with Preble-Rish to remedy some of the problems with Americus Avenue Ditch. Mr. Koran discussed his concerns regarding paying for mistakes. Chairman Smiley discussed working to come up with a solution to fix the ditch and offered his assistance in getting this done.

There being no further business, and upon motion by Commissioner McLemore, second by Commissioner McDaniel, and unanimous vote, the meeting did then adjourn at 10:57 a.m., E.T.

**TYNALIN SMILEY
CHAIRMAN**

ATTEST:

**REBECCA L. NORRIS
CLERK**